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SENATE MEMORIAL 21

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Dede Feldman

A MEMORIAL

REQUESTING THE BOARD OF DIRECTORS OF THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT TO CONVENE A TASK FORCE CHARGED WITH STUDYING THE ELECTORAL PROCESS FOR THE DISTRICT AND RECOMMENDING ANY NECESSARY CHANGES IN THE PROCESS TO THE BOARD, THE GOVERNOR, THE APPROPRIATE INTERIM LEGISLATIVE COMMITTEE AND THE FIRST SESSION OF THE FIFTIETH LEGISLATURE.

WHEREAS, the middle Rio Grande conservancy district was created in the 1920s and encompasses two hundred seventy-seven thousand seven hundred sixty acres within four counties and six Indian pueblos; and

WHEREAS, the district levies property taxes on approximately one hundred thousand properties; and

WHEREAS, the district is governed by a board of directors composed of seven members serving staggered terms of four

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1 years; and

2 WHEREAS, pursuant to the current statutes, rules and
3 procedures governing the election of district board members:

4 A. the elections are held in June of odd-numbered
5 years and are not held in conjunction with any other elections;

6 B. only persons who own property within the
7 district and who have provided proof of property ownership or
8 who reside on or own legal or equitable title in tribal lands
9 have the right to vote;

10 C. clarification is needed on whether the district
11 should use paper ballots or voting machines;

12 D. clarification is needed as to the requirements
13 and procedures for reporting campaign contributions or
14 expenditures;

15 E. procedures for ensuring the integrity of
16 absentee and early voting may restrict the participation of
17 senior citizen, homebound or other potential voters; and

18 F. the district contracts with an independent
19 election contractor and election services are not provided by
20 the secretary of state or county clerks; and

21 WHEREAS, there has been a history of low voter
22 participation in district elections, just as there has been in
23 other special district elections; and

24 WHEREAS, the goals of the district electoral process should
25 be to educate potential voters using as much transparency,

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1 information and credibility as is possible and to enable as many
2 of those educated voters as possible to become involved; and

3 WHEREAS, the district board of directors has been working
4 toward achieving these goals and toward improved efficiency in its
5 elections by undertaking amendment of its election rules and
6 procedures and holding numerous public meetings and workshops,
7 involving the public and the six middle Rio Grande pueblos, on
8 improving its election procedures; and

9 WHEREAS, an independent task force should be created to study
10 the current electoral process for the district and to recommend
11 any changes that will better achieve those goals;

12 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF
13 NEW MEXICO that the board of directors of the middle Rio Grande
14 conservancy district be requested to convene a task force to study
15 the electoral process of the district; and

16 BE IT FURTHER RESOLVED that the task force be composed of the
17 following nineteen members:

18 A. three members of the board of directors of the
19 district or their designees, including the member elected at-
20 large, one member appointed by the board who represents Bernalillo
21 county and one member appointed by the board who represents a
22 county other than Bernalillo county;

23 B. one representative of each of the six Indian
24 pueblos containing land within the district;

25 C. the elected county clerk from each of the four

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1 counties containing land within the district or the clerk's
2 designee;

3 D. a representative of the secretary of state;

4 E. a representative of the attorney general;

5 F. a representative of the league of women voters of
6 New Mexico;

7 G. a representative from common cause New Mexico;

8 H. a representative of the county clerks affiliate of
9 the New Mexico association of counties; and

10 I. a representative of the six middle Rio Grande
11 pueblos water coalition; and

12 BE IT FURTHER RESOLVED that the task force elect one of its
13 members as chair, and meet at the call of the chair but no fewer
14 than three times; and

15 BE IT FURTHER RESOLVED that the task force advertise its
16 meetings in a newspaper of general circulation within the district
17 and that its meetings be open to the public; and

18 BE IT FURTHER RESOLVED that meetings be held at times and
19 places that shall encourage public participation; and

20 BE IT FURTHER RESOLVED that all meetings take testimony from
21 election experts and include a public comment period; and

22 BE IT FURTHER RESOLVED that the task force hold hearings to
23 address issues relating to the electoral process and their effects
24 upon educating voters and increasing voter participation,
25 including but not limited to:

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1 A. federal and state constitutional issues concerning
2 the limitation of the right to vote to property owners;

3 B. procedures for reporting campaign contributions and
4 expenditures and the recipients of such reports;

5 C. election dates and options that will improve voter
6 turnouts;

7 D. the requirements for absentee and early voting;

8 E. the feasibility of using mail-in ballots as a means
9 to increase voter participation;

10 F. the roles of the county clerks and the secretary of
11 state in assisting and overseeing district elections; and

12 G. the potential use of voter registration; and

13 BE IT FURTHER RESOLVED that the task force be staffed by
14 district employees; and

15 BE IT FURTHER RESOLVED that, no later than April 15, 2010,
16 the task force report its preliminary findings and recommendations
17 to the board of directors of the middle Rio Grande conservancy
18 district, and that, no later than December 15, 2010, the task
19 force submit its findings and recommendations to the board of
20 directors, the governor, the appropriate legislative interim
21 committee and the first session of the fiftieth legislature; and

22 BE IT FURTHER RESOLVED that copies of this memorial be
23 transmitted to the board of directors of the middle Rio Grande
24 conservancy district and to each individual or organization with
25 appointing authority over one or more members of the task force.

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